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FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION (TO DESIGNATED OFFICES WHICH DO NOT APPLY THE 30 MONTH TIME LIMIT **UNDER ARTICLE 22(1))** 

(PCT Rule 47.1(c))

Date of mailing (day/month/year) 28 October 2004 (28.10.2004)

Applicant's or agent's file reference PF08548 WO

PCT/EP2004/050359

International application No.

International filing date (day/month/year) 24 March 2004 (24.03.2004) Priority date (day/month/year)

IMPORTANT NOTICE

From the INTERNATIONAL BUREAU

VOITH FABRICS PATENT GMBH

St. Pöltener Strasse 43

89522 Heidenheim **ALLEMAGNE** 

25 March 2003 (25.03.2003)

Applicant

#### VOITH FABRICS PATENT GMBH et al

- 1. ATTENTION: For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), does apply, please see Form PCT/IB/308(Second and Supplementary Notice) (to be issued promptly after the expiration of 28 months from the priority date).
- Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, does not apply, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below: 07 October 2004 (07.10.2004)

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, does not apply, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1 :

FI, LU, SE, TZ, UG, ZM

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

4. TIME LIMITS for entry into the national phase

For the designated Office(s) listed above, and unless a demand for international preliminary examination has been filed before the expiration of 19 months from the priority date (see Article 39(1)), the applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be 20 MONTHS from the priority date.

In practice, time limits other than the 20-month time limit will continue to apply, for various periods of time, in respect of certain of the designated Offices listed above. For regular updates on the applicable time limits (20 or 21 months, or other time limit), Office by Office, refer to the PCT Gazette, the PCT Newsletter and the PCT Applicant's Guide, Volume II, National Chapters, all available from WIPO's Internet site, at http://www.wipo.int/pct/en/index.html.

It is the applicant's sole responsibility to monitor all these time limits.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

Authorized officer

Agnes Wittmann-Regis

Facsimile No.+41-22 338 89 70

Facsimile No +41 ?? 740 14 35

PATENT COOPERA		1		
From the INTERNATIONAL SEARCHING AUTHORITY  To:  VOITH FABRICS PATENT GMBH  Sankt Pöltener Str. 43  D-89522 Heidenheim  GERMANY	NOTIFICATION THE INTERNATIONA	OF TRANSMITTAL OF AL SEARCH REPORT AND ON OF THE INTERNATIONAL BITY, OR THE DECLARATION		
	<u> </u>	PCT Rule 44.1)		
	Date of mailing (day/month/year) 24/	/09/2004		
Applicant's or agent's file reference	FOR FURTHER ACTION	See paragraphs 1 and 4 below		
PF08548 WO International application No. PCT/EP2004/050359	International filing date (day/month/year) 24	/03/2004		
VOITH FABRICS PATENT GMBH  1. \[ \begin{align*} \]  The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.  Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes For more detailed instructions, see the notes on the accompanying sheet.  The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the international Searching Authority are transmitted herewith. Article 17(2)(a) to that effect and the written opinion of the international Searching Authority are transmitted herewith. Article 17(2)(a) to that effect and the written opinion of the international Searching Authority are transmitted herewith. Article 17(2)(a) to that effect and the written opinion of the international Bureau is provided in the protest together with the decision thereon has been transmitted to the International Bureau of the protest together with the decision thereon to the designated Offices.  The protest together with the decision thereon has been transmitted to the International Bureau of the International Bureau will be protified as soon as a decision is made.  A Reminders  Shortly after the expiration of 18 months from the priority date, the international application will be published by the international Bureau will be notified as soon as a decision thereon to the international preliminary examination ar				

Name and mailing address of the International Searching Autho	ority Authorized officer	
- Paragan Datent Office, P.D. 3010   distribution	Paul Faux	
DIL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		
Fax: (+31-70) 5-70 55		

#### NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

#### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been lis filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

#### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

#### NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

## The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
   "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers;
   claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- [Where originally there were 15 claims and after amendment of all claims there are 11]:
   "Claims 1 to 15 replaced by amended claims 1 to 11."
- [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
   "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
- "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."

  [Where various kinds of amendments are made]:
  "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended

claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added.

#### "Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

#### It must be in the language in which the international appplication is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

#### Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

#### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

## PATENT COOPERATION TREATY

## **PCT**

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER	see Form PCT/ISA/220	
PF08548 WO	ACTION as we	ell as, where applicable, item 5 below.	
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)	
PCT/EP2004/050359	24/03/2004	25/03/2003	
Applicant			
VOITH FABRICS PATENT GMBH			
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Auransmitted to the International Bureau.	hority and is transmitted to the applicant	
This International Search Report consists	of a total of sheets.		
X It is also accompanied by	a copy of each prior art document cited in this	s report.	
	international search was carried out on the ba ess otherwise indicated under this item.	sis of the international application in the	
	search was carried out on the basis of a trans	lation of the international application furnished to	
b. With regard to any nucleo	otide and/or amino acid sequence disclosed	I in the international application, see Box No. I.	
2. Certain claims were four	nd unsearchable (See Box II).		
3. Unity of invention is lace	king (see Box III).		
4. With regard to the title,			
X the text is approved as su	bmitted by the applicant.		
the text has been establis	hed by this Authority to read as follows:		
5. With regard to the abstract,			
X the text is approved as su	bmitted by the applicant.		
the text has been establish	ned, according to Rule 38.2(b), by this Author m the date of mailing of this international sear		
6. With regards to the <b>drawings</b> ,			
a. the figure of the drawings to be p	ublished with the abstract is Figure No		
as suggested by t	• •		
	s Authority, because the applicant failed to su		
	s Authority, because this figure better characte	erizes the invention.	
b. X none of the figures is to be	e published with the abstract.		

Form PCT/ISA/210 (first sheet) (January 2004)

		101/212004/030303		
a. classification of subject matter IPC 7 D21F7/08				
According to International Patent Classification (IPC) or to both national cla	assification and IPC			
B. FIELDS SEARCHED				
Minimum documentation searched (classification system followed by class IPC 7 D21F	sification symbols)			
Documentation searched other than minimum documentation to the extent	that such documents are inclu	rded in the fields searched		
Electronic data base consulted during the international search (name of di EPO-Internal, WPI Data, PAJ	ata base and, where practical,	search terms used)		
	Market Market State Company of the C			
C. DOCUMENTS CONSIDERED TO BE RELEVANT				
Category Citation of document, with indication, where appropriate, of t	the relevant passages	Relevant to claim No.		
A EP 0 987 366 A (JWI LTD) 22 March 2000 (2000-03-22) cited in the application paragraph '0024! - paragraph claims	22 March 2000 (2000-03-22) cited in the application paragraph '0024! - paragraph '0028!;			
2 November 1982 (1982-11-02)	column 3, line 14 - column 5, line 10;			
A US 4 267 227 A (SCHIHER STANLE 12 May 1981 (1981-05-12) column 2, line 44 - column 4, figures		1,12		
Further documents are listed in the continuation of box C.	χ Patent family π	nembers are listed in annex.		
<ul> <li>Special categories of cited documents:</li> <li>"A" document defining the general state of the art which is not considered to be of particular relevance</li> <li>"E" earlier document but published on or after the international filing date</li> <li>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</li> <li>"O" document referring to an oral disclosure, use, exhibition or other means</li> <li>"P" document published prior to the international filing date but later than the priority date claimed</li> </ul>	or priority date and cited to understand invention  "X" document of particu cannot be consider involve an inventive  "Y" document of particu cannot be consider document is combi ments, such combi in the art.  "8" document member of	dished after the international filing date of not in conflict with the application but do the principle or theory underlying the star relevance; the claimed invention red novel or cannot be considered to e step when the document is taken alone that relevance; the claimed invention red to involve an inventive step when the ined with one or more other such docunination being obvious to a person skilled of the same patent family		
Date of the actual completion of the international search  13 September 2004	Date of mailing of th 24/09/20	ne international search report		
Name and mailing address of the ISA  European Patent Office, P.B. 5818 Patentlaan 2	Authorized officer			
NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo nl, Fax: (+31–70) 340–3016	Helpiö,	Т.		

Form-PCT/ISA/210 (second-sheet)-(January-2004) -

#### Information on patent family members

### International Application No PCT/EP2004/050359

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
EP 0987366	Α	22-03-2000	CA EP	2282053 A 0987366 A	· <del>-</del>
US 4357386	Α	02-11-1982	NONE		
US 4267227	А	12-05-1981	AU AU BR CA JP NZ ZA	526920 E 6609781 A 8006435 A 1134189 A 56134289 A 195985 A 8005718 A	16-07-1981 14-07-1981 141 26-10-1982 20-10-1981 14 07-09-1982

## PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTH	ORITY			
То:		PCT		
see form PCT/ISA/220		INTERNATION	TEN OPINION OF THE NAL SEARCHING AUTHORITY PCT Rule 43 <i>bis</i> .1)	
		Date of mailing (day/month/year) see	e form PCT/ISA/210 (second sheet)	
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/EP2004/050359	International filing date (d 24.03.2004	day/month/year)	Priority date (day/month/year) 25.03.2003	
International Patent Classification (IPC) or D21F7/08	both national classification	and IPC		
Applicant VOITH FABRICS PATENT GMBH				
Applicant VOITH FABRICS PATENT GMBH  1. This opinion contains indications relating to the following items:    Box No. I   Basis of the opinion				
Name and mailing address of the ISA		Authorized Officer		



European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465

Helpiö, T.

Telephone No. +49 89 2399-7495



## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/EP2004/050359

	Вс	χN	o. I Basis of the opinion				
1.	. With regard to the <b>language</b> , this opinion has been established on the basis of the international application in the language in which it was field, unless otherwise indicated under this item.						
		laı	is opinion has been established on the basis of a translation from the original language into the following inguage—, which is the language of a translation furnished for the purposes of international search index Rules 12.3 and 23.1(b)).				
2.			egard to any <b>nucleotide and/or amino acid sequence</b> disclosed in the international application and eary to the claimed invention, this opinion has been established on the basis of:				
	a. :	type	of material:				
			a sequence listing				
			table(s) related to the sequence listing				
	b. 1	form	at of material:				
			in written format				
			in computer readable form				
	c t	time	of filling/furnishing:				
			contained in the international application as filed.				
			filed together with the international application in computer readable form.				
			furnished subsequently to this Authority for the purposes of search.				
3.		ha co	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto s been filed or furnished, the required statements that the information in the subsequent or additional pies is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were furnished.				
4.	Ad	ditio	nal comments:				

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

see separate sheet

International application No. PCT/EP2004/050359

	Во	x No. II	Priority			
1.	.   The following document has not been furnished:					
		$\boxtimes$	copy of the earlier a	pplication	on whose p	priority has been claimed (Rule 43 <i>bis</i> .1 and 66.7(a)).
			translation of the ea	ırlier app	olication wh	hose priority has been claimed (Rule 43bis.1 and 66.7(b)).
		Conse neverth	quently it has not been establish	en possi ned on tl	ble to cons ne assump	sider the validity of the priority claim. This opinion has otion that the relevant date is the claimed priority date.
2.		has be	oinion has been estat en found invalid (Rul ate indicated above i	es 43 <i>bis</i>	3.1 and 64.	ority had been claimed due to the fact that the priority claim .1). Thus for the purposes of this opinion, the international at the relevant date.
3.	Add	ditional c	bservations, if neces	sary:		
				•		
	Box	No. V	Reasoned statem	ent und	ler Bule 43	3bis.1(a)(i) with regard to novelty, inventive step or
	ind	ustrial a	pplicability; citatio	ns and	explanatio	ons supporting such statement
1.	Stat	tement				
	Nov	elty (N)		Yes: No:	Claims Claims	1-30
	Inve	entive ste	ep (IS)	Yes: No:	Claims Claims	1-30
	Indu	istrial ap	plicability (IA)	Yes: No:	Claims Claims	1-30
2.	Citat	tions an	d explanations			

#### Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1: EP-A-0 987 366 (JWI LTD) 22 March 2000 (2000-03-22)

D2: US-A-4 357 386 (LUCIANO WILLIAM A ET AL) 2 November 1982 (1982-11-02)

D3: US-A-4 267 227 (SCHIHER STANLEY C ET AL) 12 May 1981 (1981-05-12)

The document D1 is regarded as being the closest prior-art to the subject-matter of claim 1, and discloses (cf. especially paragraphs [0024]-[0028]; claims) an industrial fabric according to the preamble of claim 1.

The subject-matter of claim 1 therefore differs from this known industrial fabric in that:

"during manufacture of the fabric <u>a dispersion of particulate</u>, <u>polymeric</u> <u>material</u> has been applied to the layer of batt of fibres and thermally activated to provide a discontinuous layer containing a mixture of batt fibres and a polymer-batt fibre matrix".

By applying the polymer material as a dispersion, the polymer particles remain discrete so that the polymer/fiber matrix structure remains permeable while improving surface smoothness, wear resistance and compaction resistance. The problem to be solved by the present invention may therefore be regarded as providing an alternative industrial fabric with improved properties.

In the industial fabric according to D1, the polymer material is in the form of a porous film obtained by heating a layer of at least partially fusible powder material. There is no reference to a dispersion of particulate, polymeric material. The industrial fabric according to D2 consists of a textile base layer, an intermediate layer of polymeric resin foam particles and a covering layer of non-woven staple fibres. The layers have been attached to each other by needling and there is no reference to thermal activation. Document D3 discloses an industrial fabric coated by spraying a polymeric resin solution on the surface of the fabric. There is no indication in any of these documents that would lead the skilled person to combine

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/EP2004/050359

their teachings and thereby arrive to the subject-matter of claim 1. Therefore, claim 1 appears to satisfy the requirements of Article 33 PCT with regard to novelty and inventive step.

- The subject-matter of claim 12 relates to a corresponding method of making an industrial fabric. Therefore, claim 12 appears to satisfy the requirements of Article 33 PCT with regard to novelty and inventive step as well.
- Dependent claims 2-11 and 13-30 add further features to the independent claims and as such they also meet the requirements of the PCT with respect to novelty and inventive step.
- 5 The industrial applicability (Art. 33(4) PCT) of the present invention is evident.

\*\*\*\*